

# City of Mississauga Department Comments

Date Finalized: 2021-10-12	File(s): A312.21 Ward: 2
To: Committee of Adjustment	
From: Committee of Adjustment Coordinator	Meeting date:2021-10-21 1:00:00 PM

## Consolidated Recommendation

The City recommends that the application be deferred.

## Application Details

The applicant requests the Committee to approve a minor variance to allow the construction of a new house proposing:

1. A gross floor area of 383.48sq.m (approx. 4,127.88ft) whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 337.94sq.m (approx. 3637.56sq.ft) in this instance;
2. A side yard (easterly) of 1.38m (approx. 4.53ft) whereas By-law 0225-2007, as amended, requires a minimum side yard of 2.41m (approx. 7.91ft) in this instance; and
3. A building height measured to the eaves of 7.44m (approx. 24.41ft) whereas By-law 0225-2007, as amended, permits a maximum building height measured to the eaves of 6.40m (approx. 20.99ft) in this instance.

## Amendments

The Building Department is currently processing a site plan approval application under file SPI 21-28. Based on review of the information currently available for this application, we advise that the following variance(s) should be amended as follows:

1. A gross floor area of 407.57m sq whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 337.94sq.m (approx. 3637.56sq.ft) in this instance;

While Planning Staff are not in a position to provide an interpretation of the Zoning By-law, staff note that variance #2 should be amended as follows:

2. A side yard (westerly) of 1.38m (approx. 4.53ft) whereas By-law 0225-2007, as amended, requires a minimum side yard of 2.41m (approx. 7.91ft) in this instance; and

## Background

**Property Address:** 1877 Hindhead Road

**Mississauga Official Plan**

Character Area: Clarkson – Lorne Park Neighbourhood  
Designation: Residential Low Density II

**Zoning By-law 0225-2007**

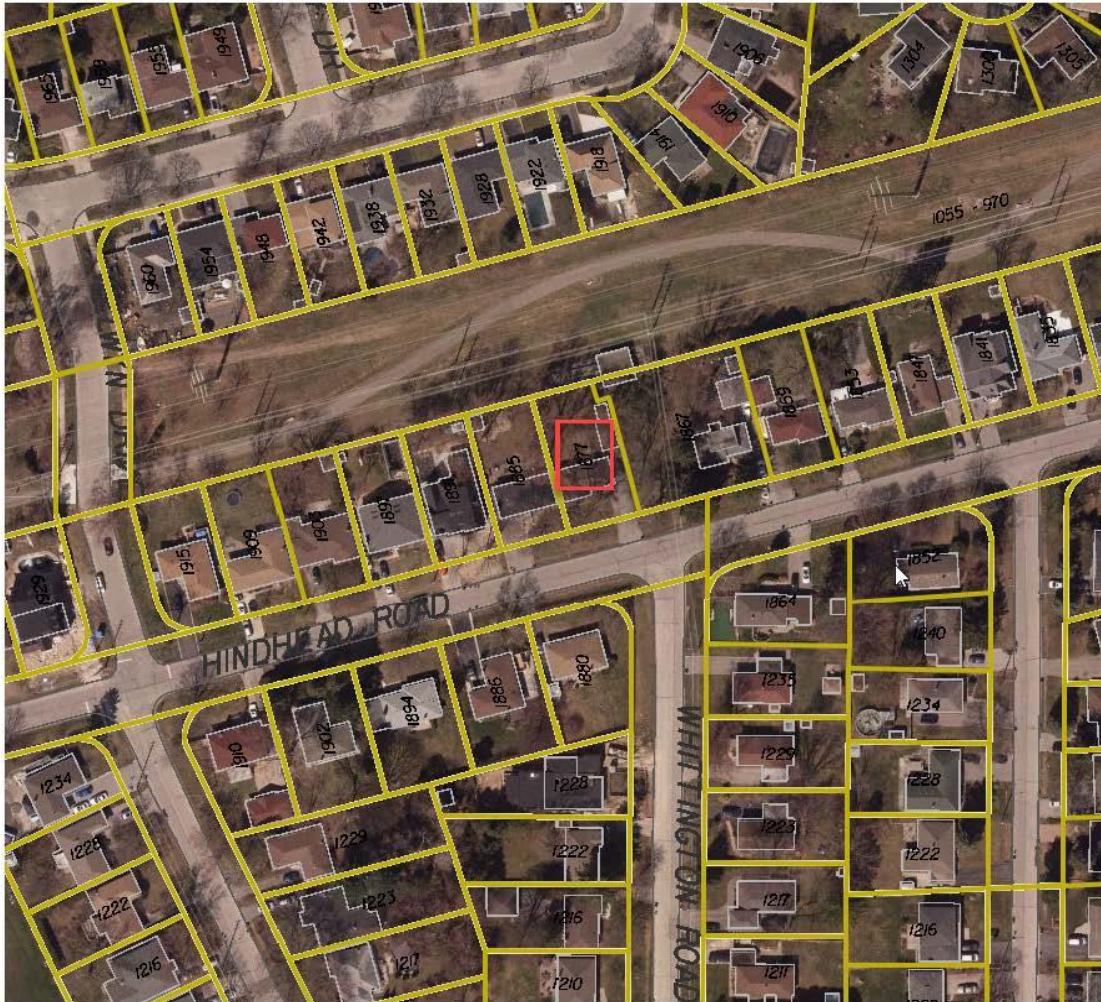
**Zoning:** R3-1 - Residential

**Other Planning Applications:** Site Plan Infill 21-28 W2

**Site and Area Context**

The subject property is located within the Clarkson-Lorne Park Neighbourhood Character Area, northeast of the Southdown Road and Royal Windsor Drive intersection. The neighbourhood is entirely residential, consisting of newer and older one and two storey detached dwellings with significant vegetation in both the front and rear yards. The subject property contains an existing one storey dwelling with mature vegetation in the front, rear and side yards.

The application proposes a new two storey dwelling requiring variances related to gross floor area, side yard and building height.



## Comments

### Planning

Section 45 of the *Planning Act* provides the Committee of Adjustment with the authority to grant relief from the requirements of a municipal zoning by-law. Approval of applications must meet the requirements set out under 45(1) and/or 45(2) (a) or (b) in the *Planning Act*.

Staff comments concerning the application are as follows:

The subject property is designated Residential Low Density II in Schedule 10 of the Mississauga Official Plan (MOP), which permits detached, semi-detached, duplex and triplex dwellings.

This application was previously deferred by the Committee of Adjustment on August 26<sup>th</sup>, 2021. The applicant has since staggered portions of the west wall of the proposed dwelling requiring a 1.38m (approx. 4.53ft) setback for only a small portion of the dwelling with the remainder of the dwelling maintaining setbacks of 1.42m (approx. 4.66ft) and 1.99m (approx. 6.53ft). The applicant has also added additional design features, including a gable, to attempt to breakup the massing of the westerly wall. Planning staff have discussed these changes with Development and Design staff, who have expressed concerns with the new proposal. Planning Staff are of the opinion that the proposed GFA is still excessive and that the additional design features and proposed eave height does not mitigate the massing issues of the design and would not maintain compatibility with the existing dwellings on the street or preserve the established character of the neighbourhood. Planning staff echo these concerns and recommends that the application be deferred to reduce the dwelling's GFA.

Comments Prepared by: Connor DiPietro, Committee of Adjustment Planner

## Appendices

### Appendix 1 – Transportation and Works Comments

We are noting for Committee's information that any Transportation and Works Department concerns/requirements for the proposed dwelling are being addressed through the Site Plan Application process, File SPI-21/028.

Comments Prepared by: John Salvino, Development Engineering Technologist

### Appendix 2 – Zoning Comments

SP RECEIVED, AMEND VARIANCE

The Building Department is currently processing a site plan approval application under file SPI 21-28. Based on review of the information currently available for this application, we advise that the following variance(s) should be amended as follows:

1. A gross floor area of 407.57m sq whereas By-law 0225-2007, as amended, permits a maximum gross floor area of 337.94sq.m (approx. 3637.56sq.ft) in this instance;

Our comments are based on the plans received by Zoning staff on 02/08/2021 for the above captioned site plan application. Please note that should there be any changes contained within this Committee of Adjustment application that have not been identified and submitted through the site plan approval process, these comments may no longer be valid. Any changes and/or updates to information and/or drawings must be submitted, as per standard resubmission procedure, separately through the site plan approval process in order to receive updated comments.

Comments Prepared by: A. McCormack

### Appendix 3 – Parks, Forestry & Environment

The Park Planning Section of the Community Services Department has no objections to the minor variance application and advises as follows:

1. The lands to the rear of the subject property are owned by Hydro One and leased by the City of Mississauga, known as Nine Creeks Trail.
2. Construction access from the park is not permitted.
3. Stockpiling of construction materials and encroachment in the adjacent park is not permitted.

Should further information be required, please contact Jim Greenfield, Park Planner, Community Services Department at 905-615-3200 ext. 8538 or via email [jim.greenfield@mississauga.ca](mailto:jim.greenfield@mississauga.ca)

Comments Prepared by: Jim Greenfield, Park Planner